



Workers' Compensation Checklist

Essential steps to protect your health, your benefits, and your rights after a workplace injury in Missouri and Kansas.

1 REPORT YOUR INJURY – IN WRITING, RIGHT AWAY

Workers' comp can cover your medical care and part of your lost wages no matter who was at fault – but only if you protect your claim from the start. Telling your employer, in writing, is the first and most important step.

- **Report it in writing immediately:** Notify your supervisor or employer in writing as soon as you can – both Missouri and Kansas set short deadlines (see Section 6). A verbal report is easy to dispute; put it in writing and keep a copy.
- **Don't try to tough it out:** Working through an injury or delaying your report gives the insurer a reason to deny the claim.
- **Describe it clearly:** The date, time, what you were doing, how you were hurt, and anyone who saw it.
- **Keep your own copy:** Save a dated copy of the report and any incident form your employer uses.

2 GET MEDICAL CARE – AND KNOW WHO PICKS THE DOCTOR

Your health comes first – but workers' comp has its own rule about which doctor treats you.

- **Tell them it's a work injury:** Make sure the provider documents it as work-related from the very first visit.
- **Know the employer usually chooses the doctor:** In both Missouri and Kansas, the employer or its insurer generally selects your authorized treating physician. Seeing your own doctor without authorization may not be covered.
- **Follow the treatment plan and restrictions:** Missing appointments or ignoring work restrictions can be used to cut off your benefits.
- **Keep all records:** Every visit, work restriction, prescription, and bill.



3 DOCUMENT EVERYTHING

A clear record protects your benefits if the claim is ever questioned.

- **Keep a file:** The injury report, doctor's notes, work restrictions, pay stubs, and all letters and emails about your claim.
- **Track lost time and pay:** Days missed, light-duty hours, and any reduction in your wages.
- **Note witnesses and the cause:** Who saw it, and what was involved – equipment, a surface, or a task.
- **Stay off social media:** Photos of physical activity can be used to dispute the seriousness of your injury.

4 LOOK BEYOND COMP – THE THIRD-PARTY CLAIM

Workers' comp usually bars you from suing your employer – but if someone other than your employer caused your injury, you may have a separate injury claim on top of your comp benefits. This is easy to miss, and often the most valuable part of a case.

- **Think about who else was involved:** A negligent driver, the maker of a defective machine or product, a subcontractor, or a property owner may share responsibility.
- **It can recover what comp cannot:** Unlike comp, a third-party claim can include your full lost wages and pain and suffering.
- **Fault matters here (unlike comp):** A third-party claim follows the normal injury rules, including Missouri's and Kansas's comparative-fault rules.
- **Act early and get advice before signing:** Third-party claims have their own deadlines, and settling with the comp insurer can affect them.

5 PROTECT YOUR BENEFITS – WHAT TO AVOID

Insurers look for reasons to reduce or deny benefits. A few habits protect you.

- **Don't give a recorded statement without advice:** It can be used to minimize or deny your claim.
- **Don't return to work against medical advice:** It can jeopardize both your recovery and your benefits.
- **Don't accept a lump-sum settlement you don't understand:** A settlement can close your right to future medical care.
- **Don't miss a deadline:** A missed notice or filing deadline can end your claim entirely (see Section 6).



6 MISSOURI VS. KANSAS – KNOW WHICH RULES APPLY

Workers' comp runs on short deadlines and its own set of rules – and Missouri and Kansas handle them a little differently.

Deadlines – Report Fast, File on Time

- **Missouri:** Give written notice within 30 days. File your formal claim within 2 years of the injury (or the last benefit payment) – extended to 3 years if your employer never filed its report of injury.
- **Kansas:** Give notice within 30 days of the accident (a shorter window if you have left that job). File your application within the later of 3 years from the accident or 2 years from the last payment.

No-Fault, But Limited

- **Covered regardless of fault:** In both states, comp pays for authorized medical care and a portion of your lost wages no matter who caused the injury – but generally not pain and suffering.
- **The trade-offs:** You usually cannot sue your employer, and the employer or its insurer typically chooses your treating doctor – which is exactly why the third-party claim in Section 4 can matter so much.

EXTRA NOTES

You deserve clarity, representation, and a full pursuit of what is right.

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